

**SHANKS & HERBERT**

Intellectual Property Advocates

TransPotomac Plaza, 1033 N. Fairfax St., Suite 306, Alexandria, VA 22314  
Telephone: 703-683-3600 Facsimile: 703-683-9875 Email: Mark@mail.ipadvocates.com

#5

February 19, 2002

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Re: U.S. Patent Application  
Serial No.: 10/018,576  
Based on PCT/JP00/04007  
For: Positive Electrode Active Material for Secondary Battery and  
Manufacturing Method Thereof and Nonaqueous Electrolytic Solution  
Secondary Battery Therewith and Recovered Electronic Functional  
Material and Reproduction Method of Electronic Functional Material  
Inventor(s): Sakai et al.  
Attorney Docket No.: 0277-0002

Sir:

The following documents are forwarded herewith for appropriate action by the  
U.S. Patent and Trademark Office:

1. Response to Notification of Missing Requirements;
2. Executed Declaration/Power of Attorney;
3. Copy of the Notification of Missing Requirements;
4. Our Check in the amount of \$130.00 (Late Oath or Declaration Surcharge);
5. Assignment Recordation Cover Sheet;
6. Executed Assignment; and
7. Our Check in the amount of \$40.00 (Assignment Recordation Fee).

It is respectfully requested that the attached postcard be stamped with the date of  
filing of these documents, and that it be returned to our courier.

Respectfully submitted,

SHANKS &amp; HERBERT

02/25/2002 HNGUYEN 00000082 10018576

01 FC:154

130.00 OP

*Mark R Shanks*  
Mark R. Shanks  
Reg. No. 33,781

West Coast Office

4350 La Jolla Village Drive, Suite 330, San Diego, Ca 92122  
Telephone: (858) 597-6688 Facsimile: (858) 597-6682

MRS



UNITED STATES PATENT AND TRADEMARK OFFICE

Department for Patent, Trademark,  
United States Patent and Trademark Office  
Washington, DC 20590  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY DCKET NO.
10/018,576	Ryo Sakai	0277-0002

INTERNATIONAL APPLICATION NO.
-------------------------------

PCT/JP00/04007

1A FILING DATE	PRIORITY DATE
----------------	---------------

06/20/2000

06/21/99

Shanks & Herbert  
TransPotomac Plaza  
1033 N Fairfax Street Suite 306  
Alexandria, VA 22314

CONFIRMATION NO. 5007

371 FORMALITIES LETTER



\*OC000000007389921\*

Date Mailed: 02/04/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- **\$130** Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Sakai, et al.

Serial No. 10/018,576

Based on PCT/JP00/04007

For: Positive Electrode Active Material for  
Secondary Battery and Manufacturing Method  
Thereof and Nonaqueous Electrolytic Solution  
Secondary Battery Therewith and Recovered  
Electronic Functional Material and Reproduction  
Method of Electronic Functional Material

Art Unit: To Be Assigned

Examiner: To Be Assigned

Atty. Docket: 0277-0002

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

Assistant Commissioner of Patents  
Washington, D.C. 20231

Attention: Manager, Application Branch

Sir:

In response to the communication of February 4, 2002, Applicants submit a Declaration/Power of Attorney for filing in the above-identified application, the required fee of \$130.00, and a copy of the Notification of Missing Requirements.

Please associate the enclosed declaration with the above-identified application.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0622. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

SHANKS & HERBERT

By: Mark R. Shanks  
Mark R. Shanks  
Reg. No. 33,781

Date: 2/19/02

TransPotomac Plaza  
1033 N. Fairfax Street  
Suite 306  
Alexandria, VA 22314  
(703) 683-3600

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

FREDERICK SMITH

Telephone: (703) 305-3654

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO. 10/018,576	INTERNATIONAL APPLICATION NO. PCT/JP00/04007	ATTY DCKET NO. 0277-0002
---	---	-----------------------------

FORM PCT/DO/EO/905 (371 Formalities Notice)